



PATENT
Application No. 10/685,823
Attorney Docket No. 09404.0015-02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Peter C. APPELBAUM *et al.*) Group Art Unit: 1614
)
Application No.: 10/685,823) Examiner: K. Weddington
)
Filed: October 15, 2003)
) Confirmation No.: 7419
For: METHODS OF USE OF)
FLUOROQUINOLONE)
COMPOUNDS AGAINST)
CIPROFLOXACIN-RESISTANT AND)
CIPROFLOXACIN-SENSITIVE)
PATHOGENIC BACTERIA)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

01/30/2006 JAD001 00000036 10685823

01 FC:1814

130.00 OP

Sir:

TERMINAL DISCLAIMER

Assignee, LG Life Sciences Limited, duly organized under the laws of the Republic of Korea and having its principal place of business at LG Twin Tower, 20, Yoido-dong, Youngdongpo-gu, Seoul, 150-721, Republic of Korea, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/685,823, filed October 15, 2003, for METHODS OF USE OF FLUOROQUINOLONE COMPOUNDS AGAINST CIPROFLOXACIN-RESISTANT AND CIPROFLOXACIN-SENSITIVE PATHOGENIC BACTERIA in the names of Peter C. APPELBAUM and Lois M. EDNIE, as indicated by assignments duly recorded in the United States Patent and Trademark Office at Reel 011290, Frame 0353 on November

14, 2000, and at Reel 014972, Frame 0800 on February 13, 2004, in application no. 09/611,998, of which this application is a continuation.

Assignee, LG Life Sciences Limited, further represents that it is the assignee of the entire right, title and interest in and to: U.S. Patent No. 6,803,376, as indicated by assignments duly recorded in the United States Patent and Trademark Office at Reel 011181, Frame 0437 on September 15, 2000, and at Reel 014972, Frame 0800 on February 13, 2004.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,803,376. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally

disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 accompanies this disclaimer.

Please grant any extensions of time required to enter this Terminal Disclaimer and charge any additional required fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 25, 2006

By: 
Andrew C. Sonu
Reg. No. 33,457